

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

DON KEENAN and)	
D.C. KEENAN AND ASSOCIATES, P.C.)	
)	No.1:16-cv-163
v.)	
)	Magistrate Judge Steger
JAMES R. MILLER)	

ORDER STRIKING STATEMENT OF MATERIAL FACTS

Plaintiffs have moved for summary judgment [Doc. 15]. In addition to filing a memorandum in support of their motion for summary judgment [*see* Doc. 15-1], Plaintiffs have also filed a “Statement of Material Facts.” [Doc. 21]. This Court understands that some courts do require such statements, but this Court has not found them to be helpful in reviewing motions for summary judgment since the parties rarely, if ever, agree as to what facts are material and undisputed. Rather, such “statements” tend to devolve into argument on the part of counsel. The Court notes that there is no such provision for statements of material facts in its local rules, *see* E.D. Tenn. L. R. 7.1, or in the Federal Rules of Civil Procedure. Further, my judicial preferences explicitly state, “Magistrate Judge Steger does not permit the filing of Statements of Undisputed Material Facts and will summarily disregard them.”¹ Accordingly, the Court will not consider Plaintiffs’ “Statement of Material Facts” [Doc. 21] when reviewing the motion for summary judgment, and said statement is hereby deemed STRICKEN from the record.

IT IS SO ORDERED.

s/ Christopher H. Steger
CHRISTOPHER H. STEGER
UNITED STATES MAGISTRATE

¹ My judicial preferences can be found at http://www.tned.uscourts.gov/preferences_steger.php.